

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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KHAIRUL ANNAM and NAHEED
AFROZ,

Plaintiff,

NOTICE OF MOTION

-against-

No. 22 Civ. 02945 (LGS)

CITY OF NEW YORK, NEW YORK
CITY DEPARTMENT OF BUILDINGS,
MELANIE E. LA ROCCA,
Commissioner, TIMOTHY E. HOGAN,
MATTHEW MILLNER, LEONID
MILLER, YEGAL SHAMASH,
GEOFFREY B. EISELE, JOSEPH
ACKROYD, KEVIN SCHULTZ,
MATTHEW DIBONO, LISTORIEL
VASQUEZ,

Defendants.

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PLEASE TAKE NOTICE, that upon the annexed Declaration of Assistant Corporation Counsel Stephen M. Suhovsky, dated September 7, 2022, and the exhibits annexed thereto; accompanying Memorandum of Law; and upon all prior pleadings and proceedings had herein, defendants will move this Court before the Honorable Lorna G. Schofield, United States District Judge, at the United States District Court for the Southern District of New York, located at 40 Foley Square, New York, New York, at a date and time to be determined by the Court, pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure, dismissing plaintiffs' Second Amended Complaint against defendants, with prejudice, and for such other and further relief as the Court deems just and proper.

PLEASE TAKE FURTHER NOTICE, that pursuant to the Court Order dated August 18, 2022, plaintiff's opposition papers, if any, shall be served on the undersigned no later than September 28, 2022.

PLEASE TAKE FURTHER NOTICE, that pursuant to the Court Order dated August 18, 2022, Defendants' reply papers, if any, shall be served on plaintiff by October 12, 2022.

Dated: September 7, 2022
New York, New York

HON. SYLVIA HINDS-RADIX
Corporation Counsel of the City of New York
Attorney for Defendants
100 Church Street, Room 2-112
New York, New York 10007
(212) 356-1177

By:



Stephen M. Suhovsky
Assistant Corporation Counsel
Labor and Employment Division

No. 22 Civ. 02945 (LGS)

<p>UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK</p>
<p>KHAIRUL ANNAM and NAHEED AFROZ,</p> <p style="text-align: right;">Plaintiffs,</p> <p style="text-align: center;">-against-</p> <p>CITY OF NEW YORK, NEW YORK CITY DEPARTMENT OF BUILDINGS, MELANIE E. LA ROCCA, Commissioner, TIMOTHY E. HOGAN, MATTHEW MILLNER, LEONID MILLER, YEGAL SHAMASH, GEOFFREY B. EISELE, JOSEPH ACKROYD, KEVIN SCHULTZ, MATTHEW DIBONO, LISTORIEL VASQUEZ,</p> <p style="text-align: right;">Defendant.</p>
<p>NOTICE OF MOTION TO DISMISS THE SECOND AMENDED COMPLAINT PURSUANT TO FED R. CIV. P. 12(B)(6)</p>
<p>HON. SYLVIA HINDS-RADIX Corporation Counsel of the City of New York <i>Attorney for Defendants</i> 100 Church Street Rm. 2-112 New York, N.Y. 10007 Of Counsel: Stephen M. Suhovsky Tel: (212) 356-1177</p>
<p><i>Due and timely service is hereby admitted.</i></p> <p><i>New York, N.Y., 2022 . . .</i></p> <p><i>..... Esq.</i></p> <p><i>Attorney for</i></p>